

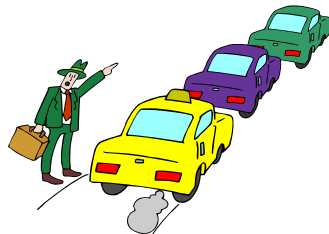


Forest of Dean
— DISTRICT COUNCIL —

**CONDITIONS RELATING TO
HACKNEY CARRIAGE (TAXI)
AND PRIVATE HIRE LICENSING**

**LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT 1976**

TOWN POLICE CLAUSES ACT 1847



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**CONDITIONS
RELATING TO
PRIVATE HIRE
OPERATORS**

1.0 Private Hire Operator - Application requirements

1.1 New Application

- 1.1.1 To make an application, the applicant(s) must;
- a) Complete and submit to the Licensing Authority the appropriate application form.
 - b) Pay to the Licensing Authority the appropriate fee.
 - c) The applicant(s) must have satisfied the Licensing Authority that they are a fit and proper person and must provide a Basic Criminal Record Disclosure and provide appropriate photographic identity documentation. (Where the applicant has also submitted an application for a Hackney Carriage (taxi) or Private Hire Driver Licence to the Licensing Authority, the Enhanced Criminal Record Check that is undertaken as part of that application will be accepted instead of needing to provide a Basic Criminal Record Disclosure).

1.2 Additional New Application Requirements for Foreign Nationals and Persons That Have Resided Outside the UK

- 1.2.1 Criminal Convictions – The Licensing Authority must be satisfied that the applicant(s) is a fit a proper person. In order to determine this, an applicant, who is a foreign national or is a person who has resided outside the UK, must do the following;
- a) Provide a Basic Criminal Record Disclosure as detailed in application requirements above (unless the applicant has only just arrived in this country). The Basic Criminal Record Disclosure will show any convictions that have been committed in the UK.
 - b) In addition to the Basic Criminal Record Disclosure the applicant must provide the Licensing Authority with a criminal record disclosure from all countries outside the UK they have resided from the age of 18, or if those countries do not produce such information a certificate of good conduct from the embassy or legation from all countries outside the UK that they have resided in from the age of 18. This certificate must be an original and if in a foreign language must be accompanied by an original certified translation from a sworn translator. The applicant must pay any costs involved in such certificates and translations.

1.3 Renewal Application

- 1.3.1 A renewal application must be completed prior to the expiry date of the private hire operator's licence. There is no period of grace if a renewal is submitted after the expiry date.
- 1.3.2 To make a renewal application the applicant(s) must;
- a) Complete and submit to the Licensing Authority the appropriate renewal application form.
 - b) Pay to the Licensing Authority the appropriate renewal fee.
 - c) Provide a Basic Criminal Record Disclosure. (Where the applicant has also submitted a renewal application for a hackney carriage (taxi) or private hire driver licence to the Licensing Authority, the Enhanced Criminal Record Check that is undertaken as part of that application will be accepted instead of needing to provide a Basic Criminal Record Disclosure).

2.0 Private Hire Operator - Local Authority Conditions

2.1 Duration of Licence

- 2.1.1 The Licence shall remain in force for a period of three years.

2.2 Convictions, Cautions and Fixed Penalties

- 2.2.1 If any person named on the private hire operator's licence has any convictions, cautions, fixed penalties or has a court case pending, he/she must notify the Licensing Authority in writing within seven days.

2.3 Change of address or details of Licence

- 2.3.1 Any person named on the private hire operator's licence must notify the Licensing Authority in writing within seven days if the information supplied in his/her application for a private hire operator's licence is altered for any reason including a change of address.

2.4 Responsibility for Drivers and Vehicles

- 2.4.1 An operator must ensure that all vehicles and drivers operating under his/her operator's licence are complying with the legislation and conditions relating to private hire vehicles and drivers.

2.5 Accepting Bookings

- 2.5.1 An operator must not accept a booking unless the person making the booking knows the basis of the hire charge

2.6 Records

- 2.6.1 An operator must keep records of all bookings at their operator base in either a bound book or as a computer record, which must include:

- a) The time and date of booking.
- b) The name and address of person making the booking.
- c) How the booking is made.
- d) The time of the pick up
- e) The point of pick up.
- f) The destination.
- g) The driver that is allocated to the booking.
- h) The plate number or registration of the vehicle allocated to the booking.
- i) Any other comments such as details of sub contract.

- 2.6.2 An operator must keep records of all private hire vehicles that he/she operates. This includes

- a) The owner of the vehicle.
- b) The registration number and plate number.
- c) The driver of the vehicle and badge number.

- 2.6.3 All records should be kept for six months from the date of the last entry.

- 2.6.4 Details of all bookings must be entered into the records when they have been accepted or as soon as reasonably practicable.

- 2.6.5 An operator shall notify the Licensing Authority, in writing within seven days of the termination of employment of a private hire vehicle or driver.

2.7 Advertising

- 2.7.1 An operator must not use the words taxi or cab or any word of similar meaning or appearance to any of those words in any advertising of the operator's company except where an operator also makes licensed hackney carriage (taxis) available.

2.8 Standard of Service

- 2.8.1 An operator shall ensure that when a private hire vehicle has been hired it shall attend punctually at the appointed time and place unless delayed or prevented with reasonable cause.

2.9 Location of Operator Base

2.9.1 The Operator must give details of all bases where he makes provision for taking a booking.

2.10 Premises

2.10.1 Any rooms or areas provided for the public for waiting or making bookings must be clean, adequately heated, ventilated, lit and have adequate seating facilities.

2.10.2 The operator must hold public liability insurance for any rooms or areas provided for use by the public if relevant.

3.0 Private Hire Operators - Requirements under Legislation

3.1 Drivers and Vehicles

3.1.1 An operator must not use unlicensed drivers or vehicles.

3.1.2 An operator may only make use of drivers and vehicles licensed by the same Licensing Authority that has issued the operator's Licence.

3.2 Records

3.2.1 An operator must make available records, on request, to an authorised officer of the Council or to a Police Constable.

3.3 Subcontracting

3.3.1 An operator may sub-contract a booking to another operator licensed with the same Licensing Authority. Both operators must keep a record of the booking. The contract and responsibility for the booking remains between the operator that took the booking and the client.

3.3.2 An operator may not sub-contract to an operator licensed by another Licensing Authority.

3.4 Smoke Free Legislation

3.4.1 Private hire vehicles and hackney carriage vehicles (taxis) are smoke-free vehicles which means that no one can smoke in these vehicles at any time and the appropriate signage must be displayed. Failing to prevent smoking in a smoke-free place can lead to a maximum fine of £2,500 imposed on whoever manages or controls the smoke-free premises or vehicle if prosecuted and convicted by a court.

3.4.2 Any enclosed premise that is used by the public for example for making bookings or is used as a workplace must be smoke free.

3.5 Disability Discrimination Act

3.5.1 The Disability Discrimination Act (DDA) makes it unlawful to discriminate against members of the public on the grounds of disability. The Disability Rights Commission has issued a Code of Practice on the provision and use of transport vehicles.

3.6 Bookings made by Disabled Persons accompanied by Assistance Dogs

3.6.1 An operator may not refuse to take a booking by a disabled persons if the reason for that refusal is because the person will be accompanied by an assistance dog.

3.6.2 An operator may not make an additional charge to carry an assistance dog.

3.7 Planning Permission

- 3.7.1 The use of a premise for a private hire operator's business may require planning permission. Operators are advised to check with the relevant Planning Department of the Local Authority.

3.8 Sale of Alcohol

- 3.8.1 Sale of alcohol is a licensable activity under the Licensing Act 2003. Sale of alcohol is prohibited on a moving vehicle. If a sale of alcohol is made as part of a booking arrangement that sale must be authorised by either a Premises Licence or Temporary Event Notice in accordance with the Licensing Act 2003.

4.0 Private Hire Operators - Glossary

4.1 Basic Criminal Disclosure

A Basic Disclosure will contain details of convictions held in central police records which are unspent according to the Rehabilitation of Offenders Act 1974 or will state that there are no such convictions. The applicant applies direct to the body that provides the basic disclosure and forwards to them confirmation of identity and payment of the appropriate fee. You can apply for a Basic Disclosure from Disclosure Scotland online at www.disclosurescotland.co.uk or by ringing 0141 585 8495.

4.2 Hackney Carriage (See Taxi)

A Hackney Carriage is also known as a Taxi. It is defined in section 38 of the Town Police Clauses Act 1847 and is a wheeled vehicle constructed or adapted to seat up to 8 passengers for hire and reward and may stand or ply for hire in any street within the licensed district.

4.3 Licensing Authority

The Authority responsible for issuing Licences in relation to hackney carriage (taxi) and private hire drivers, vehicles and operators under the Town Police Clauses Act 1847 and Part II of the Local Government Miscellaneous Provisions Act 1976.

4.4 Premises Licence

A licence issued by a Licensing Authority under the Licensing Act 2003 which permits licensable activities which may include sale by retail of alcohol.

4.5 Private Hire

The provision of a motor vehicle constructed or adapted to seat up to 8 passengers for hire or reward by a licensed private hire operator. This service must be booked in advance and cannot be provided at hackney carriage (taxi) stands or by hailing the vehicle concerned.

4.6 Subcontracting

This is when a private hire operator takes a booking and then arranges for another licensed operator to make the journey. It is not subcontracting if an operator gives out another operators contact details and advises the client to make a booking direct with the other operator.

4.7 Taxi (see Hackney Carriage)

4.8 Temporary Event Notice

A Notice submitted to the Licensing Authority under the Licensing Act 2003 in relation to licensable activities, which may include the sale by retail of alcohol. There are restrictions on temporary event notices including a limit on how many can be submitted per year.

**CONDITIONS
RELATING TO
PRIVATE HIRE
VEHICLES**

1.0 Private Hire Vehicles - Application requirements

1.1 New Application

1.1.1 To make an application the applicant(s) must;

- a) Complete and submit to the Licensing Authority the appropriate application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce proof of ownership of the vehicle such as a registration certificate in the applicant(s) name or if this is not available a bill of sale, an invoice or a credit agreement.
- d) Produce an appropriate insurance certificate or cover note for private hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate (unless the vehicle is less than 1 year old).
- f) Produce a current Licensing Authority Vehicle Test Certificate (This requirement may be waived at the discretion of the Licensing Officer for new vehicles with a mileage of less than 500 miles).
- g) On appointment bring the vehicle to the Licensing Authority Offices for visual inspection by a Licensing Officer.

1.2 Renewal Application

1.2.1 A renewal application must be completed prior to the expiry date of the private hire vehicle licence. There is no period of grace if a renewal is submitted after the expiry date.

1.2.2 To make a renewal application the applicant(s) must;

- a) Complete and submit to the Licensing Authority the appropriate renewal application form.
- b) Pay to the Licensing Authority the appropriate renewal fee.
- c) Produce a registration certificate in the applicant(s) name.
- d) Produce an appropriate insurance certificate or cover note for private hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate.
- f) Produce a current Licensing Authority Vehicle Test Certificate.
- g) On appointment bring the vehicle to the Licensing Authority offices for visual inspection by a Licensing Officer.

1.3 Transfer of Ownership Application (*Ownership of a licensed private hire vehicle is transferred to another person(s)*).

1.3.1 To make a transfer of ownership application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate transfer application form.
- b) Pay to the Licensing Authority the appropriate transfer fee.
- c) Produce proof of transfer of the licensed vehicle such as a registration certificate in the new applicant(s) name or if not available a bill of sale, an invoice or a credit agreement.
- d) Produce an appropriate insurance certificate or cover note for private hire purposes in accordance with the requirements of current legislation.

1.4 Change of Vehicle Application (*The vehicle that is licensed is replaced with another vehicle either temporarily or permanently*)

1.4.1 To make a change of vehicle application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate change of vehicle application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce proof of ownership of the vehicle such as a registration certificate in the applicant(s) name or if not available a bill of sale, an invoice or a credit agreement.

- d) Produce an appropriate insurance certificate or cover note for private hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate (unless the vehicle is less than 1 year old).
- f) Produce a current Licensing Authority Vehicle Test Certificate (This requirement may be waived at the discretion of the Licensing Officer for new vehicles with a mileage of less than 500.
- g) On appointment bring the vehicle to the Licensing Authority Offices for visual inspection by a Licensing Officer.
- h) Return any plates previously issued by the Licensing Authority.

1.5 Change of Registration Number Application *(The registration number of a licensed private hire vehicle is changed e.g. to a personalised number plate)*

1.5.1 To make a change of registration number application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate change of registration number application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce documentation from DVLA confirming change of registration number.
- d) Produce an appropriate insurance certificate or cover note for private hire purposes showing new registration number in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate showing new registration number.
- f) Return any plates previously issued by the Licensing Authority.

2.0 Private Hire Vehicles - Local Authority Conditions

2.1 General

- 2.1.1 The vehicle shall be of suitable size, type and design to be safe and comfortable for passengers.
- 2.1.2 The vehicle must be right hand drive.
- 2.1.3 The vehicle must be constructed and the doors open sufficiently wide as to allow easy access and egress to and from the vehicle and cause no inconvenience to passengers.
- 2.1.4 The Vehicle Licence Holder shall ensure that all fittings and seating are such to be efficient, safe, tidy and clean.
- 2.1.5 The vehicle must comply with all relevant road traffic regulations and legislation in force.
- 2.1.6 No changes to the specification, design or appearance shall be made to the vehicle without the prior approval of the Licensing Officer.
- 2.1.7 Any vehicle that has been modified since manufacture or is imported must have the appropriate Approval Certificate for example a Single Vehicle Approval Certificate.

2.2 Age of Vehicle

- 2.2.1 The vehicle must be less than 5 years old when licensing for the first time unless it is a specialist vehicle e.g. a disabled access vehicle or limousine. Existing and specialist vehicles over 5 years old will be subject to testing every 6 months.

2.3 Seat dimensions (passenger)

2.3.1 Height (inside)

From the top of the seat cushions to the roof at the lowest part must not be less than 30 inches.

2.3.2 Knee Space

The measurement between the front of a seat and the rear of the seat in front must not be less than 10 inches.

2.3.3 Seat Width

The width of each seat from side to side shall not be less than 16 inches. A seat designed for more than 1 passenger such as a rear seat must allow a width of 16 inches for each passenger permitted (overall width 48 inches).

2.3.4 Seat Depth

The measurement of a seat cushion from front to back must not be less than 18 inches.

2.3.5 Occasional use fold down seats in purpose built wheelchair accessible vehicles are exempt from the seat dimension requirements above.

2.4 Fire Extinguisher and First Aid Kit

2.4.1 The licence holder shall ensure that a suitably stocked first aid kit is provided in the vehicle and is readily available for use. The licence holder shall ensure that a suitable and efficient fire extinguisher (1.0 kg) to meet BSEN 31996 (BS 5423) which shall be securely fixed to the vehicle and to be readily visible and available for immediate use in an emergency.

2.5 CCTV

2.5.1 CCTV systems may be installed in the vehicle with the approval of the Licensing Officer.

2.5.2 CCTV systems must be operated in accordance with current legislation including data protection legislation.

2.6 Luggage

2.6.1 All luggage must be stored securely and if appropriate the vehicle shall be fitted with suitable equipment to prevent luggage from entering the passenger compartment.

2.6.2 Any roof racks, roof boxes and trailers to be used must be approved by the Licensing Officer.

2.7 Seatbelts

2.7.1 Each passenger seat must have an appropriate operational 3-point lap and shoulder seatbelt.

2.8 Meter

2.8.1 A meter may be installed in a private hire vehicle however if installed it must have a sign attached stating that 'This is a private hire vehicle' and clearly display the tariff to which the meter is set.

2.9 Private Hire Vehicle Plates

2.9.1 The exterior plate shall be securely fixed to the outside of the vehicle adjacent to the rear registration number plate and shall be displayed at all times that the licence is in force. The plate must be clearly visible at all times.

2.9.2 The interior vehicle card shall be securely fixed inside the vehicle in a position where it is clearly visible to passengers travelling in the vehicle and shall be displayed at all times that the licence is in force.

2.9.3 The plates shall remain the property of the Licensing Authority and in the event that the licence is suspended, revoked or expired it shall be returned to the Licensing Authority within seven days from the date of a notice served on the licence holder by the Licensing Authority.

2.10 Roof Signs

2.10.1 The displaying of signs on or above the roof of a private hire vehicle is permitted but can only consist of the company name, telephone number and must state pre-booking only.

2.10.2 The design of the roof sign shall be approved by the Licensing Officer.

2.11 Advertising

2.11.1 Advertising of a private hire company must include the words pre-booking only and must not include the words "Hackney Carriage, Taxi, Tax or Cab" Other advertising is permitted with the prior approval of the Licensing Officer, provided it is not of a religious, political, sexual or otherwise offensive nature.

2.12 Vehicle Testing

2.12.1 A private hire vehicle over 1 year and under 5 years old must have a Licensing Authority vehicle test every 12 months.

2.12.2 A private hire vehicle over 5 years old must have a Licensing Authority vehicle test every 6 months.

2.13 Stretched Limousines

2.13.1 Stretched Limousines must meet the standard local authority private hire conditions in accordance with the specific conditions below:

2.13.2 The vehicle may be left or right hand drive.

2.13.3 As a limousine is a vehicle that has been the subject of a major conversion or modification evidence must be provided to show that there is a voluntary SVA (Single vehicle approval) issued by a VOSA testing station covering such conversion or modification.

2.13.4 A limousine must have appropriate operational seat belts for all passengers that the vehicle is licensed to carry.

3.0 Private Hire Vehicles - Requirements under Legislation

3.1 Duration of Licence

3.1.1 The licence shall remain in force for a period of one year.

3.2 Private hire vehicle must not look or be used like a hackney carriage (taxi)

3.2.1 A private hire vehicle must not be or resemble a hackney carriage (taxi) or otherwise be of such design or appearance as to lead any person to believe that the vehicle is a hackney carriage (taxi). For example it should not resemble a London style taxi.

3.2.3 A private hire vehicle must not display any sign that includes the word taxi or cab or for hire or any word of similar meaning or appearance to any of those words.

3.2.4 A private hire vehicle is not permitted to ply for hire on a street, public road or hackney carriage (taxi) stand or rank.

3.3 Number of Passengers permitted

3.3.1 A private hire vehicle shall not be licensed to carry more than 8 passengers.

3.3.2 A private hire vehicle shall not carry any more passengers than the number stated on the private hire vehicle plate.

3.4 A Private hire vehicle must be operated by a licensed private hire operator and driven by a licensed private hire driver

3.4.1 A private hire vehicle must at all times be operated by a private hire operator licensed with the same licensing authority.

3.4.2 Once a vehicle is licensed as private hire it can only be driven by a person holding a private hire drivers licence issued by the same licensing authority throughout the duration of that private hire vehicle licence.

3.4.3 A family member may apply for a Restricted Drivers Licence to drive a specific Licensed Vehicle solely for Social Domestic and Pleasure purposes.

3.5 Change of address or details of Licence

3.5.1 A holder of a private hire vehicle licence must notify the Licensing Authority in writing within seven days of any changes in the details of their private hire vehicle licence including a change of private hire vehicle operator or a change of address.

3.6 Notification of accidents

3.6.1 A holder of a private hire vehicle licence must notify the Licensing Authority within 72 hours after any accident that causes damage materially affecting the safety, performance or appearance of a private hire vehicle or the comfort and convenience of the passengers.

3.7 Smoke-free Legislation

3.7.1. Private hire vehicles are smoke-free vehicles by law and neither the driver nor the passengers are able to smoke in the vehicle at any time. When the licensed vehicle is not being used as a private hire vehicle, smoking is not permitted

3.7.2 A no smoking sign must be displayed in each compartment in the vehicle, which shows the international no smoking symbol (a minimum of 70 mm in diameter).

3.8 Seat Belt and Child restraint legislation

3.8.1 The driver of a private hire vehicle is responsible for ensuring that all passengers under the age of 14 are wearing the correct seat belts or restraints.

3.8.2 There is an exemption in legislation for licensed private hire vehicles regarding child restraints. If the correct size child restraints are not available in the vehicle then the following apply:

- a) under 3's may travel unrestrained but in the rear seat only
- b) those 3 years and above in the rear seat must use an adult belt if the appropriate child/booster seat is not available.
- c) a child up to 12 years old or up to 135 cms in a front seat of any vehicle including private hire vehicles must use the correct child/booster seat.

3.8.3 The driver of a private hire vehicle is exempt from wearing a seat belt whilst the private hire vehicle is being used to carry a passenger for hire.

3.9 Sale of Alcohol

3.9.1 Sale of alcohol is a licensable activity under the Licensing Act 2003. Sale of alcohol is prohibited on a moving vehicle. If a sale of alcohol is made as part of a booking arrangement that sale must be authorised by either a premises licence or temporary event notice in accordance with the Licensing Act 2003

4.0 Private Hire Vehicles Glossary

4.1 Controlled District

The area covered by the Licensing Authority.

4.2 DfT

The Department for Transport (DfT) determines the overall transport strategy for the UK.

4.3 DVLA

The Driver and Vehicle Licensing Agency is an Executive Agency of the DfT. The DVLA's primary aims are to facilitate road safety and general law enforcement by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).

4.4 Hackney Carriage

A hackney carriage is also known as a taxi. It is defined in section 38 of the Town Police Clauses Act 1847 and is a wheeled vehicle constructed or adapted to seat fewer than 8 passengers than can carry passengers for hire and reward and may stand at a taxi rank or ply for hire in any street within the controlled district.

4.5 Licensing Authority

The Authority responsible for issuing licences in relation to hackney carriage (taxi) and private hire drivers, vehicles and operators under Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.6 Licensing Authority Vehicle Test Certificate

A vehicle test undertaken by a garage within the controlled district that has been approved by the Licensing Authority. In addition to safety checks this test includes the condition of the internal and external of the vehicle and that it meets the licensing authority conditions for example roof signs, plates etc.

4.7 Licensing Officer

An officer of the Licensing Authority authorised to act in accordance with hackney carriage (taxi) and private hire legislation.

4.8 London Type Taxi

A vehicle that is recognisable by the public as being a purpose built taxi such as used by the London black cabs. Examples include the TX series and Fairways FX series.

4.9 Premises Licence

A licence issued by a Licensing Authority under the Licensing Act 2003 permitting licensable activities which can include sale by retail of alcohol.

4.10 Private Hire

The provision of a vehicle constructed or adapted to seat up to 8 passengers for hire or reward by a licensed private hire operator. This service must be booked in advance and cannot be provided at hackney carriage (taxi) stands/ranks or by hailing the vehicle concerned.

4.11 Single Vehicle Approval Certificate

The Single Vehicle Approval (SVA) scheme is a pre-registration inspection for cars and light goods vehicles that have not been type-approved to British or European standards. The main purpose of the scheme is to ensure that these vehicles have been designed and constructed to modern safety and environmental standards before they can be used on public roads. The approval is issued by selected VOSA testing stations and may also be issued to vehicles that have been modified or converted.

4.12 Taxi (see Hackney Carriage)

4.13 Taxi Stand/Rank

An approved rank also known as a stand within the controlled district where hackney carriage vehicles (taxis) can await the arrival of a hirer.

4.14 Temporary Event Notice

A Notice submitted to the Licensing Authority under the Licensing Act 2003 in relation to licensable activities which may include the sale by retail of alcohol. There are restrictions on temporary event notices including a limit on how many can be submitted per year.

4.15 VOSA

The Vehicle and Operator Services Agency (VOSA) provides a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles, ensuring the compliance of operators and drivers, and supporting the Independent Traffic Commissioners.

**CONDITIONS
RELATING TO
HACKNEY CARRIAGE
VEHICLES (TAXIS)**

1.0 Hackney Carriage Vehicles (Taxis) - Application requirements

1.1 New Application

1.1.1 To make an application the applicant(s) must;

- a) Complete and submit to the Licensing Authority the appropriate application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce proof of ownership of the vehicle such as a registration certificate in the applicant(s) name or if this is not available a bill of sale, an invoice or a credit agreement.
- d) Produce an appropriate insurance certificate or cover note for hackney carriage (taxi) or public hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate (unless the vehicle is less than 1 year old).
- f) Produce a current Licensing Authority Vehicle Test Certificate (This requirement may be waived at the discretion of the Licensing Officer for new vehicles with a mileage of less than 500).
- g) On appointment bring the vehicle to the Licensing Authority Offices for visual inspection by a Licensing Officer.

1.2 Renewal Application

1.2.1 A renewal application must be completed prior to the expiry date of the hackney carriage (taxi) vehicle licence. There is no period of grace if a renewal is submitted after the expiry date.

1.2.2 To make a renewal application the applicant(s) must;

- a) Complete and submit to the Licensing Authority the appropriate renewal application form.
- b) Pay to the Licensing Authority the appropriate renewal fee.
- c) Produce a registration certificate in the applicant(s) name.
- d) Produce an appropriate insurance certificate or cover note for hackney carriage (taxi) or public hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate.
- f) Produce a current Licensing Authority Vehicle Test Certificate.
- g) On appointment bring the vehicle to the Licensing Authority offices for visual inspection by a Licensing Officer.

1.3 Transfer of Ownership Application (*Ownership of a licensed hackney carriage (taxi) is transferred to another person(s)*).

1.3.1 To make a transfer of ownership application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate transfer application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce proof of transfer of the licensed vehicle such as a registration certificate in the new applicant(s) name or if not available a bill of sale, an invoice or a credit agreement.
- d) Produce an appropriate insurance certificate or cover note for hackney carriage (taxi) or public hire purposes in accordance with the requirements of current legislation.

1.4 Change of Vehicle Application (*The vehicle that is licensed is replaced with another vehicle either temporarily or permanently*)

1.4.1 To make a change of vehicle application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate change of vehicle application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce proof of ownership of the vehicle such as a registration certificate in the applicant(s) name or if not available a bill of sale, an invoice or a credit agreement.

- d) Produce an appropriate insurance certificate or cover note for hackney carriage (taxi) or public hire purposes in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate (unless the vehicle is less than 1 year old).
- f) Produce a current Licensing Authority Vehicle Test Certificate (This requirement may be waived at the discretion of the Licensing Officer for new vehicles with a mileage of less than 500).
- g) On appointment bring the vehicle to the Licensing Authority Offices for visual inspection by a Licensing Officer.
- h) Return any plates previously issued by the Licensing Authority.

1.5 Change of Registration Number Application *(The registration number of a licensed hackney carriage (taxi) is changed e.g. to a personalised number plate)*

1.5.1 To make a change of registration number application the applicant must;

- a) Complete and submit to the Licensing Authority the appropriate change of registration number application form.
- b) Pay to the Licensing Authority the appropriate fee.
- c) Produce documentation from DVLA confirming change of registration number.
- d) Produce an appropriate insurance certificate or cover note for hackney carriage (taxi) or public hire purposes showing new registration number in accordance with the requirements of current legislation.
- e) Produce a current MOT certificate showing new registration number.
- f) Return any plates previously issued by the Licensing Authority.

2.0 Hackney Carriage Vehicles (Taxis) - Local Authority Conditions

2.1 General

- 2.1.1 The vehicle shall be of suitable size, type and design to be safe and comfortable for passengers.
- 2.1.2 The vehicle must be right hand drive.
- 2.1.3 The vehicle must be constructed and the doors open sufficiently wide as to allow easy access and egress to and from the vehicle and cause no inconvenience to passengers.
- 2.1.4 The Vehicle Licence holder shall ensure that all fittings and seating are such to be efficient, safe, tidy and clean.
- 2.1.5 The vehicle must comply with all relevant road traffic regulations and legislation in force.
- 2.1.6 No changes to the specification, design or appearance shall be made to the vehicle without the prior approval of the Licensing Officer.
- 2.1.7 Any vehicle that has been modified since manufacture or is imported must have the appropriate Approval Certificate for example a Single Vehicle Approval Certificate.

2.2 Age of Vehicle

- 2.2.1. The vehicle must be less than 5 years old when licensing for the first time unless it is a specialist vehicle e.g. a disabled access vehicle or limousine. Existing and specialist vehicles over 5 years old will be subject to testing every 6 months.

2.3 Colour of Vehicle

- 2.3.1 The Council does not have a policy regarding the colour of vehicles, however any damaged panels must be repaired to match the original colour.

2.4 Seat dimensions (passenger)

2.4.1 Height (inside)

From the top of the seat cushions to the roof at the lowest part must not be less than 30 inches.

2.4.2 Knee Space

The measurement between the front of a seat and the rear of the seat in front must not be less than 10 inches.

2.4.3 Seat Width

The width of each seat from side to side shall not be less than 16 inches. A seat designed for more than 1 passenger such as a rear seat must allow a width of 16 inches for each passenger permitted (overall width 48 inches).

2.4.4 Seat Depth

The measurement of a seat cushion from front to back must not be less than 18 inches.

- 2.4.5 Occasional use fold down seats in purpose built wheelchair accessible vehicles are exempt from the seat dimension requirements above.

2.5 Fire Extinguisher and First Aid Kit

- 2.5.1 The licence holder shall ensure that a suitably stocked first aid kit is provided in the vehicle and is readily available for use. The licence holder shall ensure that a suitable and efficient fire extinguisher (1.0 kg) to meet BSEN 31996 (BS 5423) which shall be securely fixed to the vehicle and to be readily visible and available for immediate use in an emergency.

2.6 CCTV

- 2.6.1 CCTV systems may be installed in the vehicle with the approval of the Licensing Officer.
- 2.6.2 CCTV systems must be operated in accordance with current legislation including data protection legislation.

2.7 Luggage

- 2.7.1 All luggage must be stored securely and if appropriate the vehicle shall be fitted with suitable equipment to prevent luggage from entering the passenger compartment.
- 2.7.2 Any roof racks, roof boxes and trailers to be used must be approved by the Licensing Officer.

2.8 Seatbelts

- 2.8.1 Each passenger seat must have an appropriate, operational 3-point lap and shoulder seatbelt.

2.9 Meter

- 2.9.1 Hackney Carriage (taxi) meters may be tested for accuracy at the discretion of the Licensing Officer.

- 2.9.2 The holder of a hackney carriage licence shall have fitted to, and used on, the vehicle, a taximeter which has been calibrated by the installer and approved by the Council. No other taximeter shall be fitted or used. The taximeter must be electrical and incapable of multi tariff operation. The taximeter must be in a position so that the fare display will be readily visible to passengers being carried and must not obstruct the driver's view to the front.
- 2.9.3 The meter must be calendar-controlled and be of a type approved by the Public Carriage Office. Meters must be programmed to show Forest of Dean District Council rates and sealed by a plastic seal or numbered hologram type seal. A calibration certificate issued by the company installing the taxi meter must be provided.

2.10 Fares

- 2.10.1 For a journey that wholly takes place within the controlled district the meter shall be running at no higher than the prescribed rate and the fare charged shall be the fare showing on the meter unless a fare is agreed with the passenger(s) prior to the commencement of the journey. Such an agreed fare shall not exceed the prescribed rate.
- 2.10.2 For a journey that either wholly or in part takes place outside the controlled area the fare or method of calculation of the fare shall be agreed with the passenger(s) prior to the commencement of the journey.

2.11 Taxi Vehicle Plates

- 2.11.1 The exterior plate shall be securely fixed to the outside of the vehicle adjacent to the rear registration number plate and shall be displayed at all times that the licence is in force. The plate must be clearly visible at all times.
- 2.11.2 The interior vehicle card shall be securely fixed inside the vehicle in a position where it is clearly visible to passengers travelling in the vehicle and shall be displayed at all times that the licence is in force.
- 2.11.3 The plates shall remain the property of the Licensing Authority and in the event that the licence is suspended, revoked or expired it shall be returned to the Licensing Authority within seven days from the date of a notice served on the licence holder by the Licensing Authority.

2.12 Roof Signs

- 2.12.1 A roof sign may be displayed on the top of the vehicle showing the word 'Taxi'. The sign shall be attached to the meter and shall be illuminated when the vehicle is available for hire.
- 2.12.2 The design of the roof sign shall be approved by the Licensing Officer.

2.13 Advertising

- 2.13.1 Advertising on or in the vehicle of the hackney carriage (taxi) company is permitted. Other advertising is permitted with the prior approval of the Licensing Officer provided it is not of a religious, political, sexual or otherwise offensive nature.

2.14 Vehicle Testing

- 2.14.1 A hackney carriage vehicle (taxi) over 1 year and under 5 years old must have a Licensing Authority Vehicle Test every 12 months.
- 2.14.2 A hackney carriage vehicle (taxi) over 5 years old must have a Licensing Authority Vehicle Test every 6 months.

2.15 Stretched Limousines

2.15.1 Stretched Limousines are not permitted to be licensed as hackney carriage vehicles (taxis)

3.0 Hackney Carriage Vehicles (Taxis) - Requirements under Legislation

3.1 Duration of Licence

3.1.1 The licence shall remain in force for a period of one year.

3.2 Number of Passengers permitted

3.2.1 A hackney carriage vehicle (taxi) shall not be licensed to carry more than 8 passengers.

3.2.2 A hackney carriage vehicle (taxi) shall not carry any more passengers than the number stated on the hackney carriage vehicle plate.

3.3 A Hackney Carriage (Taxi) must be driven by a licensed Hackney Carriage (Taxi) Driver

3.3.1 Once a vehicle is licensed as a hackney carriage (taxi) it can only be driven by a person holding a hackney carriage (taxi) driver's licence issued by the same licensing authority throughout the duration of that hackney carriage vehicle (taxi) licence.

3.3.2 A family member may apply for a Restricted Drivers Licence to drive a specific licensed vehicle solely for Social Domestic and Pleasure purposes.

3.4 Change of address or details of Licence

3.4.1 A holder of a hackney carriage vehicle (taxi) licence must notify the Licensing Authority in writing within seven days of any changes in the details of their hackney carriage vehicle (taxi) licence including a change of address.

3.5 Notification of accidents

3.5.1 A holder of a hackney carriage vehicle (taxi) licence must notify the Licensing Authority within 72 hours after any accident that causes damage materially affecting the safety, performance or appearance of a hackney carriage vehicle (taxi) or the comfort and convenience of the passengers.

3.6 Smoke free Legislation

3.6.1 Hackney carriage vehicles (taxis) are smoke free vehicles by law and neither the driver nor the passengers are able to smoke in the vehicle at any time. When the licensed vehicle is not being used as a hackney carriage vehicle (taxi), smoking is not permitted

3.6.1 A no smoking sign must be displayed in each compartment in the vehicle, which shows the international no smoking symbol (a minimum of 70 mm in diameter).

3.7 Seat Belt and Child restraint legislation

3.7.1 The driver of a hackney carriage vehicle (taxi) is responsible for ensuring that all passengers under the age of 14 are wearing the correct seat belts or restraints.

3.7.2 There is an exemption in legislation for licensed hackney carriage vehicles (taxis) regarding child restraints. If the correct size child restraints are not available in the vehicle then the following apply:

a) under 3's may travel unrestrained but in the rear seat only.

- b) those 3 years and above in the rear seat must use an adult belt if the appropriate child/booster seat is not available.
- c) a child up to 12 years old or up to 135 cms in a front seat of any vehicle including hackney carriage vehicles (taxis) must use the correct child/booster seat.

3.7.3 The driver of a hackney carriage vehicle (taxi) is exempt from wearing a seatbelt whilst the hackney carriage vehicle (taxi) is being used for seeking hire, or answering a call for hire, or carrying a passenger for hire.

3.8 Sale of Alcohol

3.8.1 Sale of alcohol is a licensable activity under the Licensing Act 2003. Sale of alcohol is prohibited on a moving vehicle. If a sale of alcohol is made as part of a booking arrangement that sale must be authorised by either a premises licence or temporary event notice in accordance with the Licensing Act 2003.

4.0 Hackney Carriage Vehicles (Taxis) - Glossary

4.1 Controlled District

The area covered by the Licensing Authority

4.2 DfT

The Department for Transport (DfT) determines the overall transport strategy for the UK.

4.3 DVLA

The Driver and Vehicle Licensing Agency is an Executive Agency of the DfT. The DVLA's primary aims are to facilitate road safety and general law enforcement by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).

4.4 Hackney Carriage

A Hackney Carriage is also known as a Taxi. It is defined in section 38 of the Town Police Clauses Act 1847 and is a wheeled vehicle constructed or adapted to seat up to 8 passengers for hire and reward and may stand or ply for hire in any street within the licensed district

4.5 Licensing Authority

The Authority responsible for issuing Licences in relation to hackney carriage (taxi) and private hire drivers, vehicles and operators under the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.6 Licensing Authority Vehicle Test Certificate

A vehicle test undertaken by a garage within the controlled district that has been approved by the Licensing Authority. In addition to safety checks this test includes the condition of the interior and exterior of the vehicle and that it meets the licensing authority conditions for example roof signs, plates etc.

4.7 Licensing Officer

An officer of the Licensing Authority authorised to act in accordance with hackney carriage (taxi) and private hire legislation.

4.8 London Type Taxi

A vehicle that is recognisable by the public as being a purpose built taxi such as used by the London black cabs. Examples include the TX series and Fairways FX series.

4.9 Premises Licence

A licence issued by a Licensing Authority under the Licensing Act 2003 permitting licensable activities which can include sale by retail of alcohol.

4.10 Private Hire

The provision of a vehicle constructed or adapted to seat up to 8 passengers for hire or reward by a licensed private hire operator. This service must be booked in advance and cannot be provided at hackney carriage (taxi) stands/ranks or by hailing the vehicle concerned.

4.11 Single Vehicle Approval Certificate

The Single Vehicle Approval (SVA) scheme is a pre-registration inspection for cars and light goods vehicles that have not been type-approved to British or European standards. The main purpose of the scheme is to ensure that these vehicles have been designed and constructed to modern safety and environmental standards before they can be used on public roads. The approval is issued by selected VOSA testing stations and may also be issued to vehicles that have been modified or converted.

4.12 Taxi (see Hackney Carriage)

4.13 Taxi Stand/Rank

An approved rank also known as a stand within the controlled district where hackney carriage vehicle (taxi) can await the arrival of a hirer.

4.14 Temporary Event Notice

A Notice submitted to the Licensing Authority under the Licensing Act 2003 in relation to licensable activities which may include the sale by retail of alcohol. There are restrictions on temporary event notices including a limit on how many can be submitted per year.

4.15 VOSA

The Vehicle and Operator Services Agency (VOSA) provides a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles ensuring the compliance of operators and drivers, and supporting the Independent Traffic Commissioners.

**CONDITIONS
RELATING TO
PRIVATE HIRE AND
HACKNEY CARRIAGE
(TAXI) DRIVERS**

1.0 Hackney Carriage (Taxi) and Private Hire Drivers - Application Requirements

1.1 New Application

- 1.1.1 The applicant must have, immediately prior to applying, for at least 12 months been the holder of a valid driving licence (not being a provisional licence) authorising him/her to drive a motor car in the UK.
- 1.1.2 The applicant must be over 18 years of age.
- 1.1.3 An application cannot be granted unless the Licensing Authority is satisfied that the applicant is a fit and proper person to hold a hackney carriage (taxi) or private hire driver's licence.
- 1.1.4 To make an application the applicant must;
- a) Undertake and pass the Council's Knowledge Test.
 - b) Complete and submit to the Licensing Authority the appropriate application form.
 - b) Pay the appropriate fee.
 - c) Provide 2 identical passport size photographs as follows
 - i) 45 millimetres by 35 millimetres in size
 - ii) taken against a light background so that the applicant's features are distinguishable and contrast against the background
 - iii) show full face uncovered without sunglasses and unless the applicant wears a head covering due to his/her religious beliefs, without a head covering.
 - d) Produce for examination a current valid driving licence, authorising him/her to drive a motor car in the UK, showing his/her current home address.
 - e) Complete and submit a mandate for release of information held by the DVLA to the Licensing Authority.
 - f) Complete an enhanced criminal record disclosure application form and provide appropriate identity documentation. Please note that the applicant must visit the Licensing Authority in person when submitting their enhanced criminal record disclosure application.
 - g) Provide a satisfactory group 2 medical certificate that is no more than 3 months old on initial application
 - h) Provide evidence of successful completion of a county council hackney carriage(taxi)/private hire driver's assessment that is no more than 3 months old on initial application.
- 1.1.5 Applicants are advised not to obtain the medical certificate, county council hackney carriage(taxi)/private hire driver's assessment until the Licensing Authority has considered the outcome of the enhanced criminal record disclosure and DVLA mandate and advised the applicant that they are considered a fit and proper person in relation to offences.
- 1.1.6 Applicants are required to notify the Licensing Authority of any convictions, cautions, fixed penalties received or any court cases pending during the application period (i.e. the time between the application being submitted and the licence being granted).

1.2 Additional Application Requirements for Foreign Nationals and Persons that have Resided Outside the UK for Hackney Carriage (Taxi) and Private Hire Drivers Licence

- 1.2.1 The Licensing Authority must be satisfied that the applicant(s) is a fit and proper person. In order to determine this, an applicant, who is a foreign national or is a person who has resided outside the UK, must do the following;
- a) Complete an enhanced criminal record disclosure application form as detailed in new application requirements (unless the applicant has only just arrived in this country). To complete this application the applicant must provide all addresses for the past 5 years including any addresses that are outside the UK. The enhanced criminal record disclosure will show any convictions that have been committed in the UK.

- b) In addition to the enhanced criminal record disclosure application the applicant must provide the Licensing Authority with a criminal record check from all countries outside the UK they have resided in from the age of 18 or, if those countries do not produce such information a certificate of good conduct from the embassy or legation from all countries outside the UK that they have resided in from the age of 18. This certificate must be an original and if in a foreign language must be accompanied by an original certified translation from a sworn translator. Any costs involved in such certificates and translations must be paid by the applicant.
- c) Driving Licence - The Licensing Authority must be satisfied that the applicant holds an appropriate driving licence to drive in the UK for vocational purposes (driving as a job).
- d) Eligibility to work in this country - An applicant must be eligible to work in the UK and if appropriate will need to provide evidence of this. A check may be carried out with the Home Office.
- e) English Language - Where an applicant's first language is not English the applicant may need to demonstrate that they have a basic standard of English speaking and understanding.

1.3 Renewal Application

1.3.1 A renewal application must be completed prior to the expiry date of the hackney carriage (taxi) or private hire driver's Licence. There is no period of grace if a renewal is submitted after the expiry date. It is an offence to drive a hackney carriage (taxi) or private hire vehicle without the appropriate hackney carriage (taxi) or private hire driver's licence.

1.3.2 To make a renewal application the applicant must;

- a) Undertake and pass the Council's Knowledge Test unless it was successfully undertaken at the time of original application
- b) Complete and submit to the Licensing Authority the appropriate renewal application form.
- c) Pay the appropriate fee.
- d) Provide 2 identical passport size photographs as follows;
 - i) 45 millimetres by 35 millimetres in size
 - ii) taken against a light background so that the applicant's features are distinguishable and contrast against the background
 - iii) show full face uncovered without sunglasses and unless the applicant wears a head covering due to his/her religious beliefs, without a head covering.
- e) Produce for examination a current valid driving licence authorising him/her to drive a motorcar in the UK showing his/her current home address.
- f) Complete an enhanced criminal record disclosure application form and provide appropriate identity documentation.
- g) Provide a satisfactory group 2 medical certificate that is no more than 3 months old upon application.
- h) Complete and submit a mandate for release of information held by the DVLA to the Licensing Authority.

2.0 Hackney Carriage (Taxi) and Private Hire Drivers – Local Authority Conditions

2.1 Duration of Licence

2.1.1 The Licence shall remain in force for a period of three years.

2.2 Medical Criteria

2.2.1 A driver must have a medical every 3 years on renewal of the driver's licence until he/she reaches 65. From 65, he/she will have a medical examination every year.

2.2.2 If a driver develops any health or medical issues that may affect his/her fitness as a driver during the period of the licence, they must notify the Licensing Authority. The Licensing Authority may require a driver to produce medical evidence of continuing fitness to drive during the period of the licence.

2.3 Requirement to return Driver Badge

2.3.1 If a driver is no longer employed as a hackney carriage (taxi) or private hire driver, he/she must return his/her licence, badge, and any other related items to the Licensing Authority within 7 days.

2.4 Notification of Changes

2.4.1 If a driver moves house or changes his/her name, or if any other details included on the application form changes, he/she must write and let the Licensing Authority know within 7 days.

2.4.2 If a driver ceases to work for a hackney carriage (taxi) proprietor or private hire operator or changes to work for another hackney carriage (taxi) proprietor or private hire operator he/she must write and let the Licensing Authority know within 7 days.

2.5 Convictions, Cautions and Fixed Penalties

2.5.1 If a driver receives any convictions, cautions, fixed penalties or has a court case pending, he/she must write and let the Licensing Authority know within 7 days.

2.6 Code of Conduct

2.6.1 A driver whilst working as a hackney carriage (taxi) or private hire driver shall act in accordance with the following;

- a) Wear the hackney carriage (taxi) or private hire driver's badge, provided by the Licensing Authority, in such a position and manner as to be plainly visible to the customer.
- b) Have a clean and tidy appearance.
- c) Behave in a polite and courteous manner.
- d) Take reasonable precautions to ensure the comfort and safety of passengers including when they are entering and leaving the vehicle.
- e) Attend punctually at the appointed time and place when hired.
- f) If requested offer reasonable assistance with the loading and unloading of bags and luggage.
- g) Offer reasonable assistance to passengers with a disability when they are entering and leaving the vehicle and if appropriate to and from their starting point or destination.
- h) Unless otherwise directed by the hirer should proceed to the destination by the shortest or most economical route.
- i) Not eat or drink in the vehicle whilst working as hackney carriage (taxi) or private hire.
- j) Comply with a passenger's request not to play any radio or other sound producing equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- k) Not play any radio or other sound producing equipment in the vehicle so loud that it causes a noise nuisance to anyone inside or outside the vehicle.
- l) Not carry animals in the vehicle whilst working as a hackney carriage (taxi) or private hire except those carried in connection with the hiring of the vehicle. The driver has the discretion to decide whether he/she wants to take an animal belonging to a passenger in the vehicle however that animal may only be carried in the rear of the vehicle. (Except for guide, hearing and assistance dogs which must be carried unless the driver holds an exemption on medical grounds).

2.7 Lost Property

- 2.7.1 As soon as possible, after a passenger has left a vehicle, a driver should check to make sure that no property has been left behind.
- 2.7.2 If a passenger does leave something in a vehicle and it is not claimed within 48 hours, the driver should take it to a local police station and get a receipt for it from the duty officer.

2.8 ISA (Independent Safeguarding Authority) Registration

- 2.8.1 From October 2009 employers and volunteer organisations who deal with children and vulnerable adults will be required to check the ISA status of persons before employing them. It is likely that drivers who are employed to provide transport for children or vulnerable persons will need to be registered with the ISA. (This information to be amended when the implications of ISA on drivers become available).

3.0 Hackney Carriage (Taxi) and Private Hire Drivers - Requirements under Other Legislation

3.1 Guide Dogs

- 3.1.1 A driver must permit, without additional payment, guide, hearing and certain prescribed assistance dogs accompanying disabled people to be carried in the licensed vehicle unless the Licensing Authority has issued an exemption certificate to that driver on medical grounds.

3.2 Smoking

- 3.2.1 Hackney carriage (taxi) and private hire vehicles are smoke free vehicles by law. This means that neither the driver nor the passengers are able to smoke in the vehicle at any time. When the licensed driver is driving a licensed vehicle without passengers he/she will be committing an offence if he/she smokes in the vehicle.

4.0 Hackney Carriage (Taxi) and Private Hire Drivers - Glossary of Terms

4.1 County Council Hackney Carriage (Taxi)/Private Hire Vehicle Driver Assessment

An assessment of an applicant's driving ability undertaken by Gloucestershire County Council on behalf of the Licensing Authority to demonstrate the suitability or otherwise of an applicant to be granted a hackney carriage (taxi) or private hire driver's licence.

4.2 DVLA

The Driver and Vehicle Licensing Agency is an executive agency of the Department for Transport (DfT). The DVLA's primary aims are to facilitate road safety and general law enforcement by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).

4.3 Enhanced Disclosure and Barring Service Disclosure (formerly known as the CRB Disclosure)

The DBS is an executive agency of the Home Office, and provides wide access to criminal record information through its disclosure service.

The enhanced criminal record disclosure contains details of both spent and unspent convictions and any cautions from England, Wales and Northern Ireland, held on central records or it will indicate that there are no such matters held on central records.

In addition the enhanced criminal record disclosure may also show any information held on local police records considered by the Chief Constable or Chief Officer to be relevant to the position being sought and which can be disclosed without harming the interests of the prevention or detection of crime. It is entirely up to the Chief Constable or Chief Officer to decide what information is disclosed, if any, in these circumstances.

In respect of an enhanced criminal record disclosure, the Chief Constable or Chief Officer may also disclose information to the countersignatory only, that is, information which will not form part of the actual disclosure. Such information will be sent separately to the countersignatory and will be withheld from the subject of the disclosure (that is, the individual applicant) in the interests of the prevention or detection of crime.

4.4 Hackney Carriage

A hackney carriage is also known as a taxi. It is defined in section 38 of the Town Police Clauses Act 1847 and is a wheeled vehicle constructed or adapted to seat up to 8 passengers for hire and reward and may stand on a hackney carriage (taxi) rank/stand or ply for hire in any street within the licensed district

4.5 ISA (Independent Safeguarding Authority)

The Independent Safeguarding Authority (ISA) has been created to help prevent unsuitable people from working with children and vulnerable adults. They will provide a scheme of registration by which only applicants that are judged not to pose a risk to children and vulnerable people can be ISA registered. Once the scheme has been fully rolled out, employers and service providers who work with children and vulnerable people will only be allowed to recruit people who are ISA registered. More information is available on the website www.isa-gov.org.uk.

4.6 Licensing Authority

The Authority responsible for issuing licences in relation to hackney carriage (taxi) and private hire drivers, vehicles and operators under the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.7 Medical (Group 2)

A medical examination undertaken to the group 2 standards set out by the DVLA. This is the same as the standard required from drivers of public service vehicles and heavy goods vehicles.

4.8 Private Hire

The provision of a motor vehicle constructed or adapted to seat up to 8 passengers for hire or reward by a licensed private hire operator. This service must be booked in advance and cannot be provided at hackney carriage (taxi) stands/ranks or by hailing the vehicle concerned.

4.9 Taxi (see Hackney Carriage)

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